

Remarks

Claims were rejected under §112, second paragraph, and have been replaced with new claims that are proper as to form. Reconsideration and withdrawal of the rejection are respectfully requested.

The new claims include reference numbers to facilitate an understanding thereof and not by way of limitation. By way of further explanation and again without limitation, claims 16-23 generally correspond to the embodiment of Figure 1, claims 24-31 generally correspond to the embodiment of Figure 5, and claims 32-36 generally correspond to the embodiment of Figure 6.

Claims 1-15 were rejected as anticipated by JANSEN et al. 6,243,450. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 16-23 define a common carrier, method and computer readable medium, where the common carrier connects a portable terminal to an information server. Second identification information identifies an entity, is obtained from a communication between the portable terminal and one of the information servers, and is compared to stored first identification information about information providers that operate the information servers. A fee for the communication between the portable terminal and one of the information servers is charged to the information provider whose stored first

identification information matches the second identification information, and the fee is charged to the portable terminal when the second identification information does not match any of the stored first identification information.

JANSEN et al. do not disclose these features and thus claims 16-23 avoid the rejection under §102. JANSEN et al. relate to a public-access kiosk that connects to the Internet. The reference discloses that the user may be charged for access time, but does not indicate how an information provider may be charged for the access time. Indeed, the reference indicates that the service is free if the user is not charged (column 10, lines 1-15). JANSEN et al. do not disclose the common carrier, method, and computer readable medium in which a payer processor is connected to a protocol converter and to payer information storage and compares second identification information to the stored first identification information, where the second identification information identifies an entity and is obtained from a communication between the portable terminal and one of the information servers, and in which the claimed accounting processor is connected to the payer processor and charges a fee for the communication between the portable terminal and the one of the information servers to a one of the information providers whose first identification information stored in the payer information storage matches the second identification

information, and charges the portable terminal the fee when the second identification information does not match any of the first identification information stored in the payer information storage.

Claims 24-31 are also distinguishable from JANSEN et al. These claims differ from claims 16-23 in that the payer processor inserts accounting information into the communication and accounting processor uses the accounting information to charge the fee. JANSEN et al. do not disclose the payer processor that is connected to a protocol converter and to a payer information storage and that compares second identification information to stored first identification information, where the second identification information identifies an entity and is obtained from a communication between the portable terminal and one of the information servers, and where the payer processor inserts the accounting information into the communication when the second identification information matches one of the first identification information. JANSEN et al. also do not disclose the accounting processor that charges a fee for the communication to the information provider indicated by the inserted accounting information and charges the portable terminal the fee when the second identification information does not match any of the first identification information stored in the payer information

storage. Accordingly, claims 24-31 also avoid the rejection under §102.

Claims 32-36 are also distinguishable from JANSEN et al. These claims differ from claims 24-31 in that the accounting information is already in the communication. JANSEN et al. do not disclose charging a fee for the communication between the portable terminal and the information server to the information provider indicated by the accounting information, and charging the portable terminal the fee when the accounting information does not indicate the information provider to be charged, as set forth in claims 32-36. Accordingly, these claims also avoid the rejection under §102.

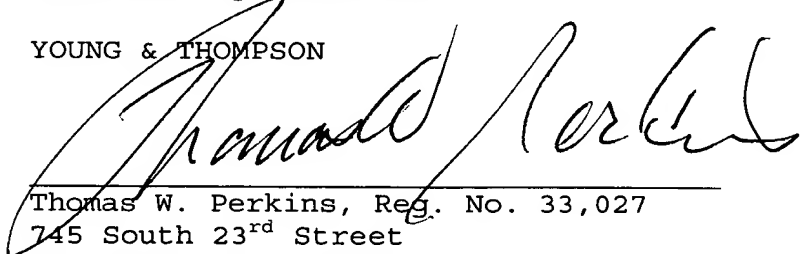
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of \$18 for the one extra claim of any type added herewith to Deposit Account No. 25-0120.

The ,Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A large, stylized handwritten signature in black ink, appearing to read 'Thomas W. Perkins', is written over the printed name and address.

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